

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

LAW OFFICES OF JOHN J. ALLAN, P.C.

PLAINTIFF

v.

NO. 4:06-CV-01172 GTE

**UNITED STATES OF AMERICA,
On behalf of its Agency, the
GENERAL SERVICES ADMINISTRATION**

DEFENDANTS

ORDER

Today, the Court conducted a telephone conference with the parties during which Plaintiff acknowledged that he should have filed this action in the Federal Court of Claims and indicated his intent to file a Motion to Transfer this action thereto. Defendant takes the position that Plaintiff's action is foreclosed by prior rulings in prior litigation between the parties. Because it appears that no initial disclosures or discovery are appropriate at this time, the Court directs that all initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) be suspended until further notice from the Court. The parties are further relieved from any obligation to conduct a Fed. R. Civ. R. 26(f) conference at this time.

The parties shall have until March 26, 2007, to file the motions proposed during today's telephone conference.¹ Responses to such motions shall be filed within fifteen days thereafter.

IT IS SO ORDERED this 22rd day of February, 2007.

¹ The transfer issue must be resolved prior to resolving any other issues. The Defendant did not indicate today whether it intended to oppose Plaintiff's request to transfer this case to the Federal Court of Claims. If Defendant concedes that a transfer is appropriate then it need not file any motion with this Court by March 26, 2007, and its failure to so file shall not constitute any waiver of arguments for the dismissal of this action based on res judicata, collateral estoppel, or law of the case.

/s/Garnett Thomas Eisele
UNITED STATES DISTRICT JUDGE